

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TD BANK, N.A.,	:	
successor by merger with COMMERCE	:	
BANK/PENNSYLVANIA, N.A.,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 14-136
	:	
v.	:	
	:	
BNB PROPERTIES, LLC, JOCELYN	:	
PROPERTIES, INC., and	:	
CONSTRUCTION & DESIGN, INC.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 10th day of June, 2015, after considering the motion for summary judgment and accompanying materials, filed by the plaintiff, TD Bank, N.A., successor by merger with Commerce Bank/Pennsylvania, N.A. (Doc. Nos. 83, 85), and the response in opposition to the motion and accompanying materials, filed by the defendant, Construction & Design, Inc. (Doc. Nos. 86-87); and after oral argument held before the undersigned on May 18, 2015; accordingly, and for the reasons expressed in the accompanying memorandum opinion, it is hereby **ORDERED** as follows:

1. The motion for summary judgment (Doc. No. 83) is **GRANTED**;
2. Judgment is **ENTERED** in favor of the plaintiff and against the defendant on the defendant's counterclaim; and
3. The clerk of court is **DIRECTED** to mark this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.